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**Date:** Monday, June 20, 2005

**Number of Pages:** Cover sheet plus 43 page(s)

**To:** Examiner LoAn Thanh  
**Company:** U.S.P.T.O.  
**Your Reference:** Serial No. 10/045,550  
**Fax Number:** 703-872-9306

**From:** John V. Daniluck ([jdaniluck@uspatent.com](mailto:jdaniluck@uspatent.com))  
**Our Reference:** 3413-13

**Comments:**

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3413-13 JVD348163

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**JUN 20 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Eldon H. Nyhart, Jr.

Serial No. 10/045,550

Filed: October 26, 2001

APPARATUS FOR THE CONTROLLABLE  
MODIFICATION OF COMPOUND  
CONCENTRATION IN A TUBEBefore the Examiner  
LoAn Thanh

June 20, 2005

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the items of information listed on this enclosed PTO form 1449A.

This information has not been previously submitted in this application, and has not been heretofore cited by the Examiner. A copy of the cited foreign item is enclosed in accordance with 37 C.F.R. § 1.98.

I hereby certify that this correspondence is being directed to the Commissioner of Patents via facsimile to the Examiner of record at 703-872-9326 on June 20, 2005.

JOHN V. DANILUCK  
Name of Registered Representative

Signature

20 JUNE 2005  
Date of Signature**THIRD SUPPLEMENTAL IDS**  
Serial No. 10/045,550  
Attorney Docket 3413-13  
Page 1 of 2

3413-13.JVD348163

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56.

This Statement is being submitted prior to the mailing of any Office Action on the merits. It is believed that no fee is required for consideration of the submitted items. Should any fee be required, however, please charge such fee to Deposit Account No. 34-3030, but not to include any payment of issue fees.

Respectfully submitted,

By



John V. Daniluck

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THIRD SUPPLEMENTAL IDS

Serial No. 10/045,550

Attorney Docket 3413-13

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|   |   |    |   |                          |                      |
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| Substitute for form 1449A/PTO<br><br><b>THIRD SUPPLEMENTAL INFORMATION<br/>DISCLOSURE STATEMENT</b><br><br><i>(use as many sheets as necessary)</i> |   |    |   | <i>Complete if Known</i> |                      |
|   |   |    |   | Application Number       | 10/046,560           |
|   |   |    |   | Filing Date              | October 26, 2001     |
|   |   |    |   | First Named Inventor     | Eldon H. Nyhart, Jr. |
|   |   |    |   | Group Art Unit           | 3763                 |
|   |   |    |   | Examiner Name            | LoAn H. Thanh        |
|   |   |    |   | Attorney Docket Number   | 3413-13              |
| Sheet   | 1 | of | 1 |                          |                      |

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|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

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